

1)

CRM-M-23747-2020

Date of decision: 28.08.2020

PARVEEN @ BINNY

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

2)

CRM-M-23108-2020

LALIT@ BONA

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. D.S.Virk, Advocate
for the petitioner (in CRM-M-23747-2020).

Mr. Sanchit Punia, Advocate
for the petitioner (in CRM-M-23108-2020).

Mr. Amrik Singh Narwal, DAG, Haryana.

*(The case has been taken up through video conferencing on
account of Covid-19 Pandemic).*

VIVEK PURI,J. (ORAL)

Petitioners are seeking regular bail in FIR bearing No. 192 dated 28.04.2019 under Sections 114/147/149/323/341/307/506 & 120-B IPC,1860, at Police Station Sadar HTM Hisar, District Hisar which has been registered on the basis of the statement of Naveen alleging that on 26.04.2019 at about 7:30 am, when he along with his parents and younger brother Sandeep was at his new house, his neighbour Bansi Lal started uttering filthy abuses at them. After sometime, his mother Guddi came there and assured that she would convince her son not to swear at them. The same day about 5:30pm, Guddi, mother of Bansi

Lal came alongwith Ravi Yadav, Lalt@ Bona-petitioner and two other boys. She asked them to beat Naveen-complainant, whereupon, the boys who were having dandas in their hands beat the complainant. On raising alarm, the mother, wife, sister and brother of the complainant tried to set him free. They boys also caused injuries to Sandeep-brother, Priya-wife and Indu-sister of the complainant. Thereafter, the assailants left the place uttering threats. The injured were shifted to the hospital.

It has been contended by the learned counsel for the petitioner(s) that Parveen @ Binny was not named in the FIR, though his name figured in the supplementary statement of the complainant. Furthermore, both the petitioners were armed with danda and no specific injury have been attributed to them. The arrest of the petitioner was effected on 15.06.2019. The co-accused namely, Dheeraj and Ravi Yadav have been granted bail by the Co-ordinate Bench of this Court. Even the name of Ravi Yadav figured in the FIR.

The perusal of the orders vide which the co-accused have been granted bail indicate that the status report by way of affidavit of Ashok Kumar, HPS, Deputy Superintendent of Police, HQRS, Hisar was submitted with regard to the health condition of Sandeep-injured who was suffering from amnesia and memory impariment. As per the report received from Medical Officer, Jindal Hospital, Hisar, Sandeep was conscious/oriented and obeys command to him, place and person and fit for statement..

On instructions from ASI Ram Niwas, learned State counsel has not disputed the aforesaid factual aspect.

The petitioners are in custody since 15.06.2019, the co-accused have been granted bail, the injured has recovered, the conclusion of the trial is likely to take sometime and as such no fruitful purpose will be served by keeping the

petitioners further behind the bars in the present case.

Accordingly, without commenting on the merits of the case, the present petitions are allowed and the petitioners are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of concerned Chief Judicial Magistrate/Illaqa Magistrate/Duty Magistrate/trial Court.

28.08.2020
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No